

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ELIODORA CORVERA,
Plaintiff,

vs.

NDEX WEST, LLC; AMERICA'S
SERVICING COMPANY; and DOES
1-50, inclusive,
Defendants.

Case No.: SACV08-1333 R (AJWx)
Hon. Manuel L. Real
Courtroom 8 – Spring Street

JUDGMENT

Complaint filed: October 21, 2008

The motion of Defendant WELLS FARGO HOME MORTGAGE, a division of WELLS FARGO BANK, N.A. ("Wells Fargo") to dismiss Plaintiff Eliodora Corvera's complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(e) for failure to state a claim upon which relief can be granted came on regularly for hearing on January 9, 2009 at 1:30 p.m. before the Honorable James V. Selna. On January 9, 2009, prior to reassignment of the case to Judge Manuel L. Real on February 20, 2009, the Honorable James V. Selna, after considering all of the papers submitted by the parties, and the arguments of counsel in connection with this matter, good cause appearing:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Wells Fargo's motion to dismiss is granted.

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that
2 Plaintiff's complaint is dismissed with prejudice due to Plaintiff's failure to amend
3 pursuant to The Honorable James V. Selna's January 9, 2009 order. Plaintiff is to
4 recover nothing from Wells Fargo Home Mortgage, a division of Wells Fargo
5 Bank, N.A.

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the
7 Notice of Pendency of Action (Lis Pendens) recorded on October 27, 2008 in the
8 Official Records of the Los Angeles County Recorder's Office as Instrument
9 Number 20081906278 is hereby expunged due to the dismissal of this case.

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12 DATED: March 25, 2009



HONORABLE MANUEL L. REAL

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the page of 18 and am not a party to this action. I am employed in the City of Irvine, California. My business address is Severson & Werson, 19100 Von Karman Avenue, Suite 700, Irvine, California 92612.

On the date below I served the within document(s) described as:
(PROPOSED) JUDGMENT on the interested parties in this action:

☒ by placing ☐ the original ☒ true copy(ies) thereof enclosed in sealed envelope(s) ☒ addressed as follows:

Mitchell W. Roth, Esq. MW ROTH, PLC 13245 Riverside Drive, Suite 320 Sherman Oaks CA 91423	Attorneys for Plaintiff ELIODORA CORVERA
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Edward A. Treder, Esq. BARRETT, DAFFIN, FRAPPIER, TREDER & WEISS 917 S. Village Oaks Dr, Suite 200 Covina, CA 91724	Attorneys for Defendant NDEX WEST, LLC
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☒ **BY MAIL** (C.C.P. § 1013(a)) - I deposited such envelope(s) for processing in the mail room in our offices. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

☒ **(BY ELECTRONIC SERVICE)** Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF system sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court's EC/ECF system.

☒ **FEDERAL** - I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March __, 2009, at Irvine, California.

LINDA J. TARWATER